

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

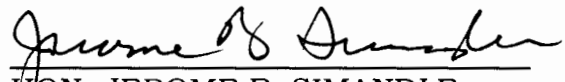
UNITED STATES OF AMERICA : Hon. Jerome B. Simandle  
v. : Criminal Number: 09-626 (JBS)  
DMITRIY SMILIANETS : ORDER FOR DISMISSAL

Pursuant to its plea agreement with defendant Dmitriy Smilianets (hereinafter the “Defendant”), and under Rule 48(a) of the Federal Rules of Criminal Procedure and by leave of Court endorsed hereon, Craig Carpenito, United States Attorney for the District of New Jersey (Justin S. Herring, Assistant United States Attorney, appearing), for the District of New Jersey, hereby moves to dismisses Counts One and Three through Eleven of the Second Superseding Indictment, Criminal Number 09-626 (JBS), against the Defendant, filed on July 24, 2013, and charging said Defendant in Count One with conspiracy to commit the unauthorized access of protected computers, contrary to 18 U.S.C. § 1030, in violation of 18 U.S.C. § 371, Counts Three through Eight with the unauthorized access of protected computers, in violation of Title 18, United States Code, Section 1030(a)(2)(C) and in Counts Nine through Eleven with wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2, because the Defendant has pleaded guilty and been sentenced in accordance with the plea agreement.

WILLIAM E. FITZPATRICK  
Acting United States Attorney

/s/ Justin S. Herring  
By: Justin S. Herring  
Assistant U.S. Attorney

Leave of Court is granted for the filing of the  
foregoing dismissal.

  
HON. JEROME B. SIMANDLE  
United States District Court Judge

Date: Feb. 27, 2018